

1 COMMITTEE SUBSTITUTE

2 FOR

3 **HOUSE JOINT RESOLUTION NO. 29**

4 (By Delegates Manchin, Lawrence, Caputo,
5 Frazier, Doyle, Longstreth, Morgan, D. Poling,
6 Stephens and Varner)

7 (Originating in the Committee on the Judiciary)

8 (February 25, 2011)

9
10 Proposing an amendment to the Constitution of the State of West
11 Virginia, amending article X thereof, by adding thereto a new
12 section, designated section twelve, relating to reducing from
13 sixty percent to a simple majority the number of votes
14 required for approval of an excess levy, bond issue of
15 incurring of indebtedness by a county, a municipality or a
16 county board of education; allowing counties, cities, school
17 districts and municipal corporations to approve, by a vote of
18 the people, levies, excess levies, the incurring of
19 indebtedness and bond issues by a majority of the votes cast
20 for and against the same, notwithstanding any other provision
21 of the constitution to the contrary; numbering and designating
22 such proposed amendment; and providing a summarized statement
23 of the purpose of such proposed amendment.

24 *Resolved by the Legislature of West Virginia, two thirds of*
25 *the members elected to each house agreeing thereto:*

26 That the question of ratification or rejection of an amendment
27 to the Constitution of the State of West Virginia be submitted to

1 the voters of the state at the next general election to be held in
2 the year 2012, which proposed amendment is that article X thereof,
3 be amended by adding thereto a new section, designated section
4 twelve to read as follows:

5 **ARTICLE X. TAXATION AND FINANCE.**

6 **§12. Simple majority approval for all county, city, school**
7 **district, and municipal corporation levies and bonds.**

8 Notwithstanding the provisions of sections one, seven or eight
9 of this article relating to a vote of the people on proposed bonds
10 or indebtedness, or any other provisions of this Constitution, a
11 county, city, school district or municipal corporation may contract
12 indebtedness and issue bonds for purposes as provided by law, if
13 when submitted to a vote of the people of the county, city, school
14 district or municipal corporations in the manner provided by law,
15 the questions of contracting indebtedness and issuing bonds is
16 approved by a majority of the votes cast for and against the same.

17 Notwithstanding the provisions of sections one, seven or eight
18 of this article relating to a vote of the people on proposed tax
19 levies, or any other provisions of this Constitution, a county,
20 city, school district or municipal corporation may increase tax
21 levies for purposes as provided by law, if when submitted to a vote
22 of the people of the county, city, school district or municipal
23 corporations in the manner provided by law, the question of
24 increasing tax levies is approved by a majority of the votes cast
25 for and against the same.

1 *Resolved further,* That in accordance with provisions of
2 article eleven, chapter three of the Code of West Virginia, 1931,
3 as amended, the proposed amendment is hereby numbered "Amendment
4 No. 1" and designated as the "The Simple Majority Approval
5 Amendment" and the purpose of the proposed amendment is summarized
6 as follows: "To allow a simple majority approval for all county,
7 city, school district, and municipal levies and bonds."